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RANKING MEMBER

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115
Majority (202) 225-3641

May 1, 2023

Lawrence A. Tabak, D.D.S, Ph.D.
Senior Official Performing the Duties of the Director
National Institutes of Health
9000 Rockville Pike
Bethesda, MD 20892

Dr. Tabak:

Pursuant to Rules X and XI of the U.S. House of Representatives, the Committee is investigating the adequacy of the National Institutes of Health (NIH) oversight of NIH-funded research that may pose significant biosafety or biosecurity risks.

On January 19, 2022, we sent a request to the NIH for a list of all proposed, approved, or ongoing research work that your agency is funding in the area of coronaviruses (especially SARS CoV-2), or viruses related to SARS, MERS, or SARS CoV-2. One of the informational requests in Question 3 of our January 19, 2022, letter asked: "Does the research involve virus manipulation, passaging of a virus, genetically modified animals, or making any mutations to a virus?" The NIH did not provide information in response to Question 3 in its written response. Republican Committee staff followed up with an email inquiry for the response to Question 3, but the NIH staff requested another letter from the Committee Chair.

This is that letter.

To put these studies in context and to be able to assess the adequacy of the NIH's oversight of potential risks in such experiments, we are requesting additional information. In light of the Committee's interest in biosafety and adequate oversight of laboratory research studies that may pose significant biosafety or biosecurity risks, please respond to the following by May 15, 2023:

1. Please provide a list of all NIH intramural and extramural coronavirus research studies involving virus manipulation, passaging of a virus, genetically modified animals, or making any mutations to a virus.

2. Regarding NIH intramural research, what is the biosafety level of the facility being used for these experiments? What biocontainment measures are being taken with these experiments?

3. Regarding NIH-supported extramural research, how does the NIH screen for the biosafety level of the facilities to be used in proposed research?

4. Have NIH laboratories introduced any mutations or insertions of genes associated with pathogenesis or transmission into SARS CoV2?
    a. If so, what were the studies?
    b. What was the purpose for such studies?
    c. Can such insertions contribute to increasing pathogenesis or transmission?
    d. If insertions do contribute to increasing pathogenesis or transmission, please explain.

5. Have NIH laboratories introduced mutations or insertions of genes that encode for resistance to medical countermeasures, or increase pathogenesis or transmission in influenza virus or other respiratory viruses or human pathogens?
    a. If so, what were they?
    b. What were the reasons for such studies?

6. Do all laboratory research studies undergo Institutional Biosafety Committee (IBC) or Dual Use Research of Concern (DURC) review at the NIH? If not, why not?

7. Please provide a list of all studies that have undergone IBC review at the NIH since October 1, 2013.[1]

8. Please provide a list of all studies that have undergone DURC review at the NIH since October 1, 2013.

9. Who at the NIH oversees the NIH IBC and DURC process?

10. Please provide the policies and/or procedures related to the IBC and DURC processes.

11. Please provide all documents since October 1, 2013, related to an internal committee known as "DURC/GOF Meeting" at the National Institute of Allergy and Infectious Diseases (NIAID), including its charter, list of members and dates of service, referrals of research proposals to be reviewed, and the determinations by "DURC/GOF Meeting" on how to proceed with the proposal.

12. Please identify all "DURC/GOF Meeting" entities at other NIH institutes or centers besides the NIAID, including the Office of NIH Director.

[1] FDA's website indicates that the FDA IBC became operational as of September 30, 2013. https://www.accessdata.fda.gov/scripts/fdatrack/view/track_project.cfm?program=operations&id=Operations-ESEM-Institutional-Biosafety-Committee

If you have any questions, please contact Alan Slobodin of the Majority Committee staff at (202) 225-3641. Thank you for your attention to this request.

Sincerely,

Cathy McMorris Rodgers
Chair
Energy and Commerce Committee

Brett Guthrie
Chair
Subcommittee on Health

H. Morgan Griffith
Chair
Subcommittee on Oversight and Investigations

CC: Frank Pallone Jr., Ranking Member, Energy and Commerce Committee
Anna Eshoo, Ranking Member, Subcommittee on Health
Kathy Castor, Ranking Member, Subcommittee on Oversight and Investigations